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Report of the Security Council mission to West Africa, 26 June-5 July 2003

I. Introduction

1. By his letter dated 5 May 2003 (S/2003/525) the President of the Security Council informed the Secretary-General that the members of the Council had decided to send a mission to the West African subregion. The mission was conducted from 26 June to 5 July 2003. Its terms of reference and composition are set out in the annex.

2. The mission left New York on 26 June and visited Guinea-Bissau (27 and 28 June), Nigeria (28 and 29 June), Ghana (29 and 30 June) and Côte d'Ivoire (30 June-2 July). The mission was scheduled to visit Liberia on 2 July. However, because of the conflict in the country at that time, the mission travelled instead to Accra, where the parties to the Liberian peace talks led by the Economic Community of West African States (ECOWAS) were gathered. The mission then visited Guinea (2 and 3 July) and Sierra Leone (3 and 4 July).

II. Summary

3. The Security Council mission was carried out at a time when the stability of the subregion was looking particularly precarious. Although Sierra Leone was much more stable than it had been at the time of the Council's previous mission, in October 2000, the situation in some other countries of the subregion had seriously deteriorated. Côte d'Ivoire, recently emerged from conflict, was struggling with the challenge of implementing the Linas-Marcoussis peace agreement; Guinea-Bissau, although apparently peaceful, was at risk of falling back into conflict with postponements of the legislative elections, democratic freedoms threatened, economic regeneration inhibited and the National Assembly's powers usurped; and, most seriously, the conflict had intensified in Liberia, with fighting in the streets of Monrovia and hundreds of civilians killed even as peace talks were under way. The mission therefore concentrated on supporting efforts to improve the situation in those three countries.

4. In Guinea-Bissau, President Kumba Yalá set 12 October 2003 as the election date and welcomed international observers, but he made no commitments on restoring democratic freedoms or respecting human rights. It is crucial, therefore, that the Council monitor the situation closely and maintain pressure on the

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Government to make progress towards good governance. Progress in this regard will help the international community provide aid to Guinea-Bissau.

5. Côte d'Ivoire has a clear road map to peace in the form of the Linas-Marcoussis Agreement. President Laurent Gbagbo agreed with the mission that the Agreement was the viable way forward and had to be implemented in full. The mission also stressed this message, with some success, to the Forces nouvelles, who at the time of the mission's visit were threatening to withdraw their cooperation on Linas-Marcoussis. The Council now needs to monitor closely the fulfilment of the outstanding provisions of Linas-Marcoussis, including ministerial appointments, as well as the other challenges which the mission encouraged the Government to tackle, particularly disbanding militias, adopting an amnesty law and accelerating disarmament and reintegration.

6. The mission deliberately did not get involved in the Liberian peace talks led by ECOWAS, but it strongly urged all the parties to respect the ceasefire, engage sincerely in the negotiations and allow the return of humanitarian agencies. The Government of Liberia, Liberians United for Reconciliation and Democracy (LURD) and Movement for Democracy in Liberia (MODEL) claimed that they too wanted peace and would return to the negotiating table. However, the mission noted that the significant differences between their negotiating demands might make reaching acceptable compromises difficult. The mission was struck by the unity and fervour of the calls from Liberian civil society and political parties for international assistance — both humanitarian aid and an international stabilization force — and strongly hopes that the international community and the United Nations will respond rapidly.

7. The mission heard a highly consistent message throughout its visit regarding the causes of conflict in the subregion, including widespread poverty and poor governance, and the proliferation of small arms and light weapons and cross-border flows of mercenaries. There is a clear need for international action to address these and other persistent problems in the subregion, including lack of observance of human rights, treatment of refugees, use of child soldiers, and humanitarian access issues — all of which have been frequently identified but are not yet being tackled with enough political resolve or resources. The mission is recommending enhanced assistance for ECOWAS and subregional initiatives.

III. Activities and findings of the mission

Guinea-Bissau

8. The mission visited Guinea-Bissau on 27 and 28 June 2003 jointly with a mission of the Ad Hoc Advisory Group on Guinea-Bissau of the Economic and Social Council. The composition and terms of reference of the Ad Hoc Advisory Group mission are set out in the annex. The mission followed the presidential statement of 19 June 2003 (S/PRST/2003/8), in which the Security Council appealed to the President and Government of Guinea-Bissau to effectively organize in a timely fashion the forthcoming legislative elections; to ensure that they are conducted in a transparent and credible manner; to promulgate the new Constitution; to have the President and Vice-President of the Supreme Court duly elected without further delay; to facilitate a constructive dialogue with the international community

and the Bretton Woods institutions; to fully endorse the partnership approach defined by the Ad Hoc Advisory Group on Guinea-Bissau of the Economic and Social Council; and to take measures to improve human rights and civil liberties.

9. The mission received briefings from the Representative of the Secretary-General, David Stephen, and senior staff of the United Nations Peace-building Support Office in Guinea-Bissau (UNOGBIS) and the United Nations country team, including a representative of the International Monetary Fund. It was informed that the schools and health systems in the country barely function: 60 per cent of school-age children do not attend school and 88 per cent of the population live on less than $1 per day. Widespread unemployment, especially among young people, poses a potential long-term threat to peace and stability. On the economic situation it was noted that Guinea-Bissau had witnessed a decline in real GDP of 7 per cent in 2002 and the fiscal situation was described as disastrous, State revenues being very limited.

10. The mission met twice with President Yalá, and with the Prime Minister and several other ministers. It called on the Government to implement the measures outlined by the Council in its statement of 19 June 2003. The mission stressed the strong desire of the international community to increase assistance to Guinea-Bissau, but warned that this was contingent on the Government taking the requisite steps to fulfil the partnership approach arrangement proposed by the Economic and Social Council Advisory Group in November 2002. The partnership foresees a compact under which the provision of assistance would be contingent on political and constitutional measures being taken by the Government and plans of action drawn up addressing both short and long-term development needs of the country.

11. The President and a number of ministers asserted that the situation in the country was still peaceful, thanks to the efforts of the Government. The mission was told that there was much disinformation being disseminated by opposition parties and "other provocateurs" who had misappropriated State funds and wanted to run electoral campaigns on the proceeds. The President noted his readiness to hold the parliamentary elections, but underlined that international funding was a prerequisite.

12. At a meeting with the Chief of Staff of the armed forces, the Mission welcomed the assurance given that the armed forces of Guinea-Bissau would not interfere in the political process. The Chief of Staff indicated that the army's loyalty to the legitimate, constitutional authority was firmly maintained despite the fact that troops suffered from lack of supplies and long delays in salary payments. The mission encouraged the armed forces to continue efforts to collect more of the small arms that are circulating in the country in disturbingly high numbers.

13. The mission met a number of leaders of civil society and political parties and representatives of the diplomatic community in Bissau. Most interlocutors underlined the vital importance of the promulgation of a new Constitution, and the election of a new President and Vice-President of the Supreme Court. Those currently in office have been selected by the President, whereas, according to the existing law, as approved by the National Assembly while President Yalá was a member of the body, the positions should be filled by elections among Supreme Court judges. Concern was voiced that, since dissolving the National Assembly in November 2002 and appointing a "caretaker" government, President Yalá had significantly increased his own power at the expense of all other branches of the Government and that the judiciary had been gravely weakened.

14. The mission was also told that serious acts of intimidation and persecution by the security forces against members of opposition political parties, the media and civil society were constantly being carried out. The importance of the Government ensuring the protection of civil liberties and human rights was underlined. A number of political parties advanced a proposal for the establishment of a government of national consensus for a transitional period leading to free and credible elections.

15. Members of the mission met with representatives of the National Electoral Commission and visited its headquarters. The Commission officials indicated that it was technically impossible to hold the parliamentary elections in July, as scheduled. However, the advance completion of voter cards for voters already on the rolls and the reproduction of voter registration documents was under way.

16. Some interlocutors, however, noted that elections in themselves were not the whole solution, not least because a new National Assembly could be as much at risk of dissolution by the President as the previous one. The mission was told that civil society in Guinea-Bissau had high hopes that its visit would result in concrete action by the Government to improve the situation in their country. Members were concerned to hear fears expressed about a possible new wave of repression once the mission left the country and asked the Representative of the Secretary-General to keep them closely informed about any developments in this regard.

17. At a second meeting with President Yalá, the mission expressed the conviction that a date for the elections needed to be fixed and concrete steps taken to establish the credibility of the process leading to that election and to ensure that it would be free and credible. Concomitant with that, the Government needed to show its commitment to uphold the rule of law, to promote civil liberties and freedom of the press, to avoid any persecution of political parties and to observe and defend human rights. The mission stressed that such signals were needed to fully restore the confidence of the international community in the democratic process in the country, as a basis for the partnership between Guinea-Bissau, international financial institutions and donor countries. A frank and friendly dialogue was held on specific issues raised by the mission.

18. The President informed the mission that he had decided to set the election date for 12 October 2003 and that international observers would be welcomed. He said that he would respect the results of the elections and live up to them. Shortly after the mission left the country the date of the elections was officially announced. Regarding the election of the President and Vice-President of the Supreme Court, the President said that application of the law would be the responsibility of the new National Assembly. Likewise, it would be the Assembly's responsibility to decide on a Constitution: he explained that he refused to promulgate the current draft as the Assembly had used it to arrogate certain powers, such as selecting the Chief of Staff of the armed forces. He added that the new Assembly would have to examine the issue of the Constitution. If it disputed his views regarding the Constitution, he would organize a referendum on whether there should be a presidential or semi-presidential system. As for improving civil liberties and human rights, the members of the mission were discouraged by the lack of a substantive response to some of the concerns raised.

19. After leaving Guinea-Bissau, the members of the mission reported to the Chairman of ECOWAS, President John Agyekum Kufuor of Ghana, in Accra, and the Executive Secretary of ECOWAS, Mohamed Ibn Chambas, in Abuja, on their

meetings with President Yalá. They said that ECOWAS would strongly encourage the Government to take the necessary steps to ensure that the elections planned for 12 October 2003 were free and credible. ECOWAS was planning to send electoral observers. The importance of addressing the dire levels of poverty in the country was noted, as was the intention of ECOWAS to send a Council of Elders Mission to the country.

Observations and recommendations

20. The overall impression gained by the mission is that Guinea-Bissau is gripped by a deep social, economic, administrative and political crisis. UNOGBIS — established in 1999 to carry out peace-building activities in a post-conflict environment — is increasingly obliged to play a preventive, pre-conflict role. There are concerns that mounting tensions and public discontent could result in popular unrest, perhaps even civil war. As the armed services are said to be increasingly demoralized, unprofessional and unpaid and there are tensions among officers and men of different ethnic origins, this scenario should not be ruled out.

21. The mission welcomes President Yalá's statement that he intends to hold elections on 12 October 2003. Other requirements must be met, however, including the complete revision of current electoral registers and ensuring that all parties can campaign freely, having equal access to the media. **It recommends that the Security Council monitor closely the progress being made in the electoral process and in implementing the other steps outlined in the presidential statement of 19 June 2003. To that end, the Council should request the Secretary-General to update it by the end of July and regularly thereafter during the electoral period on the progress being made by the Government**.

22. **Now that the date of 12 October has been announced for the parliamentary elections, the mission recommends that donors urgently consider providing financial and technical assistance so that the required electoral preparations can proceed and the polls can be held as scheduled. The continuing provision of such assistance should be contingent on the Government creating the conditions for the conduct of free and credible elections. International electoral observers would play an important role and the international community should be prepared to respond quickly to a request from the Government for the provision of monitors.**

23. **The Government must now urgently take the actions necessary to implement all steps outlined in the presidential statement of 19 June. The international community should maintain pressure on the Government to that end.** The mission is gravely concerned that, unless the Government takes such actions promptly and unless enough well-targeted assistance is provided in the near future, there is a strong possibility that the country will slide back into conflict, with dire consequences for the people of Guinea-Bissau and the subregion.

24. The mission greatly appreciates the cooperation of the Economic and Social Council regarding the visit to Guinea-Bissau and **recommends that the Security Council continue such collaborative initiatives with the Economic and Social Council in the area of peace-building in post-conflict countries**.

Côte d'Ivoire

25. In Abuja, the mission discussed the situation in Côte d'Ivoire with the President of Nigeria, Olusegun Obasanjo, the Executive Secretary of ECOWAS and the Special Representative of ECOWAS for Côte d'Ivoire, Raph Uwechue. It also exchanged views on the issue with the Chairman of ECOWAS and the Foreign Minister of Ghana in Accra. At those meetings, concern was expressed about the continuing activities of the armed militias, which some allege have links at high levels in the Government of Côte d'Ivoire; there are also continuing reports of murders and disappearances of persons suspected of having links with the Forces nouvelles. Concern was also expressed by senior ECOWAS officials about the Government's economic priorities, including the continuing acquisition of new and sophisticated weapons.

26. The Executive Secretary of ECOWAS reported significant achievements since the inauguration of the Government of National Reconciliation on 13 March 2003. Debates on the major provisions of the Linas-Marcoussis Agreement had been ongoing in the National Assembly. However, strong sentiments and opposition had been expressed by President Gbagbo's party, the Front populaire ivoirien (FPI), on some issues, especially the question of amnesty for certain Forces nouvelles personnel. Throughout the region, including in Côte d'Ivoire, the mission heard that the delay in appointing the Ministers of Defence and National Security was a serious impediment to progress. There was a general consensus that there was little chance of reducing tensions in the country until this was resolved.

27. The interlocutors mentioned above and the members of the Monitoring Committee encouraged the mission strongly to urge President Gbagbo and other political figures in Côte d'Ivoire to make progress on these and other points. They asked the mission to convey the widespread concern that threats to the full implementation of the Linas-Marcoussis Agreement were growing. Lack of statesmanship on the part of some leaders who had made inflammatory remarks was deplored, particular reference being made to the Speaker of the National Assembly who had recently called for civil servants to disregard instructions from ministers from the Forces nouvelles. Heads of State encouraged the mission to raise with President Gbagbo the need for the Government to do far more to rein in the activities of youth groups demonstrating against ministers from parties other than FPI and to take additional measures to increase the level of confidence between former antagonists in the country.

28. ECOWAS officials expressed the view that the ECOWAS Mission in Côte d'Ivoire (ECOMICI) had demonstrated the subregion's capability to take care of its problems, given the necessary support. Appreciation was expressed to the Governments of France, the United Kingdom of Great Britain and Northern Ireland and the United States of America for their material and financial support for ECOMICI. It was stressed that ECOMICI was working effectively and harmoniously with French forces but was in serious need of additional resources from the international community; its current funding would run out by October 2003.

29. In Abidjan, the mission met twice with President Gbagbo, the Prime Minister, Seydou Diarra, and leaders of the Forces nouvelles. It met the Speaker and Bureau of the National Assembly, senior military officers from the Forces armées nationales

de Côte d'Ivoire (FANCI), and from the Forces nouvelles, and representatives of Ivorian political parties and civil society. The mission was also briefed by the Special Representative of the Secretary-General for Côte d'Ivoire, Albert Tevoedjre, the United Nations country team, the Monitoring Committee, the commander of the French forces of Operation Licorne, the ECOMICI commander, and diplomats.

30. On 30 June, the Forces nouvelles had issued a communiqué in which they announced the end of their participation in the programme of disarmament, the closure of all the corridors of access to the zones under their control and the declaration of a state of emergency. The stated reasons for this included the attack by armed elements on the Secretary-General of the Mouvement patriotique de Côte d'Ivoire (MPCI) and Minister of Information, Guillaume Soro, on 27 June during an official visit to the national television complex in Abidjan — a crime with which, at the time of the mission's visit, no one had been charged by the Ivorian authorities — the lack of security for ministers, and the refusal of President Gbagbo to respect the allocation of ministerial portfolios as agreed under the Linas-Marcoussis Agreement.

31. During its meetings in Abidjan, the mission repeatedly raised a number of issues of concern on which actions needed to be taken. These included the need to appoint Ministers of Defence and National Security; to disband the pro-Government militias; to provide an equal level of security for all ministers, of whatever party; to adopt an Amnesty Law to ensure both the release of political prisoners and the return of exiles and former combatants; to extend government services and State authority to areas under the control of the Forces nouvelles; to accelerate the implementation of the disarmament and reintegration programme; and to terminate the activities of mercenaries. Concern was also voiced by the mission about reports of major new defence expenditures by the Government, which were being interpreted in some quarters, whether correctly or not, as evidence of a preparedness by the Government to restart hostilities in the future, and whose sources of financing lacked transparency.

32. The mission emphasized to all parties that strict implementation of the Linas-Marcoussis Agreement, leading to the holding of free and fair elections in 2005, was the only path that would be acceptable to the international community. Any return to hostilities would lead to strong condemnation and measures by the international community against those responsible. The importance of continued dialogue, even at moments of great tension, was stressed to all interlocutors. At a meeting with Ivorian civil society, the negative impact of hate media was stressed to the mission.

33. It was also made clear to all parties by the mission that impunity for human rights abuses would not be tolerated; that the practice — especially in the west of the country — of recruiting child soldiers was abhorrent and must cease; and that full humanitarian access must be assured. The mission was informed by the Force Commander of ECOMICI that the situation in the west of the country had recently improved to the extent that humanitarian agencies should be able to operate there.

34. President Gbagbo responded to several of the issues raised by the mission. He accepted that the Linas-Marcoussis Agreement should be implemented in full, but he also pointed out that he was bound by the constitution of Côte d'Ivoire. He denied that there were any "armed militias" on the Government side, only unarmed citizens' groups. Regarding the two ministerial appointments, President Gbagbo said that if FANCI and the Forces nouvelles could agree on nominations for these

positions, he would not hesitate to appoint them. He said that only the unofficial armed groups, not the Ivorian armed forces, recruited child soldiers: there were, he claimed, strict minimum age limits for FANCI recruitment.

Observations and recommendations

35. The mission recognizes that significant progress has been made in the implementation of the Linas-Marcoussis Agreement, thanks to the efforts of the President, the Prime Minister, the new Government of National Reconciliation and other political forces. Although Côte d'Ivoire remains an issue of serious concern for the subregion and the international community, the precise modalities of implementing the Agreement are largely a matter for internal Ivorian discussion.

36. Nevertheless the mission found strong consensus in the subregion and among representatives of the wider international community that decisive action by President Gbagbo on a number of key issues was essential if a creeping deterioration in the situation was to be avoided. **The mission strongly encourages the President, his Government and his supporters, and all parties to the Agreement, to take the required steps so that the programme of disarmament, demobilization and reintegration can proceed according to plan. In this connection, the mission suggests that the United Nations Mission in Côte d'Ivoire (MINUCI) pay serious attention to the important lessons learned from a similar experience in Sierra Leone.**

37. **The mission recommends that the Security Council pay sustained attention to the implementation of the actions mentioned in paragraph 31, especially relating to the appointment of the Ministers of Defence and National Security and the assured security of all government ministers. It suggests that the Special Representative of the Secretary-General for Côte d'Ivoire, as Chairman of the Monitoring Committee, should keep the Council closely informed of developments in this regard. The mission encourages all political forces to commit themselves in public to strict implementation of the Linas-Marcoussis Agreement as the road map to reconciliation and lasting peace in the country and with its neighbours.**

38. The mission draws the Security Council's attention to the essential linkage between scrupulous implementation of the Linas-Marcoussis Agreement and the holding of elections in 2005. President Gbagbo indicated to the mission a strong interest in receiving international assistance for the preparations and monitoring of the elections, and said he would be writing to request this. **The mission recommends that, at the appropriate time, the Security Council support international involvement in the electoral process**.

39. The people, politicians and various armed forces in Côte d'Ivoire will need to give serious attention to the future not only of the country's democratic institutions, in the lead-up to elections in 2005, but also to its security institutions and indeed all aspects of good governance, including transparent budgeting. They must also be prepared to make compromises for the sake of peace, continue the path of dialogue, and avoid inflammatory words or actions.

40. Côte d'Ivoire's moves towards national reconciliation deserve full support from the international community. **In this connection, the mission hopes that MINUCI will soon receive its full complement of staffing, especially in such**

crucial areas as the political and human rights components. The mission commends the cooperative way in which Licorne and ECOMICI forces, under excellent leadership, are monitoring the ceasefire and working to support implementation of the Linas-Marcoussis Agreement. **It notes with concern the funding constraints of ECOMICI and urges Member States in a position to do so to provide additional resources to ECOMICI so that it can continue its important work.**

Liberia

41. The mission discussed the situation in Liberia with virtually all of its interlocutors. The Executive Secretary of ECOWAS and the ECOWAS mediator for the ECOWAS-led Liberian peace talks, General Abdulsalami Abubakar, described recent progress in the negotiations. On 27 June, the talks were suspended until 4 July because the ceasefire agreement signed on 17 June had been violated. The Executive Secretary expressed concern about the extent of the parties' commitment to peace: their delay in fulfilling the requirements for the deployment of the Joint Verification Team appeared to be a tactic to gain time to win military advantage. The political parties and civil society represented in the political negotiating committee seemed to have little influence on either the Government of Liberia or the rebel groups in the military committee. LURD and MODEL apparently had no set of common objectives beyond the exclusion from power of President Taylor. The humanitarian cost of the continued fighting was disastrous: hundreds of civilians had been killed, thousands displaced and most humanitarian aid agencies forced to cease operations.

42. The Executive Secretary of ECOWAS and the ECOWAS mediator recommended that the mission urge the parties to return to negotiations, respect the ceasefire and facilitate the early deployment of the Joint Verification Team. It was crucial to create the conditions for the return of humanitarian agencies. They urged the mission to exert pressure on any outside parties providing assistance to the armed groups to stop such action. ECOWAS hoped to be ready to secure the ceasefire by creating a buffer zone through the deployment of a stabilization force, but they needed financial and logistical assistance from the international community to do so. The Defence and Security Commission of ECOWAS was meeting on 3 July to consider the composition of such a force. An international stabilization force, led by a State outside the region, was needed urgently to deploy alongside an ECOWAS force. The Executive Secretary hoped the United States might consider involvement in such a force. The Minister for Foreign Affairs of Ghana said subsequently that ECOWAS was considering a force of 5,600 troops, including 3,600 requested from Ghana, Mali, Morocco, Senegal and South Africa. The Executive Secretary considered that a neutral transitional government composed of technocrats should then be appointed, for 18 to 24 months, with a specific mandate to create the conditions for disarmament, security sector reform and elections.

43. President Obasanjo described how the announcement of the indictment of President Charles Taylor by the Special Court for Sierra Leone had complicated the efforts of subregional leaders to persuade him to leave office peacefully. He recalled that, initially, President Taylor had said that he would be prepared to step down in the interest of peace in Liberia. However, he was now insisting that the indictment first be rescinded. Unless an exit route could be found, President Taylor might well

feel that he had enough political support to return to the bush to fight, using the still considerable military resources at his disposal. President Kufuor also emphasized the need to find a solution for the sake of the Liberian people: but the indictment against President Taylor could not lapse — those who offended against humanity had to be brought to book. The Minister for Foreign Affairs of Ghana said he believed that President Taylor would depart quickly, if a satisfactory arrangement could be made. In response, the mission said that the Security Council had authorized the establishment of the Special Court and would support its decisions. There must be no impunity for gross abuses of human rights and international humanitarian law. Equally, they recognized that the Liberian people were in a dire predicament and that their well-being had to be a significant consideration in the international community's approach.

44. Following its discussions with senior ECOWAS officials and the Presidents of Nigeria and Ghana, the mission met the parties to the peace negotiations in Accra, namely, the Government of Liberia, LURD, MODEL, the registered political parties and civil society. The mission emphasized that it was not there to mediate or to intervene in the Liberian peace talks. It insisted, to all parties, however, that there must be full respect for, and implementation of, the ceasefire; a comprehensive political settlement making possible the appointment of a transitional government which would organize free and fair elections; respect for international humanitarian law, including full and immediate access for humanitarian organizations to provide food and medicines; full respect for human rights, including an end to the recruitment of child soldiers; and investigations of human rights abuses.

45. The mission warned against attempts to seize power by force, which would not be accepted by the international community. Although the mission made clear that it would not involve itself in the detail of the negotiations, it noted from its meetings with the parties that there were still significant differences to be resolved, particularly regarding the question who might be appointed to lead a transitional government. The government delegation indicated that President Taylor would be willing to step down at the end of his term in January 2004. They advocated a constitutional approach regarding transitional arrangements, with a new transitional government headed by the Vice-President. The Inter-Religious Council and the Bar Association of Liberia advocated the rescinding of the indictment of President Taylor by the Special Court for Sierra Leone, but this position was not shared by all civil society representatives. The political parties and civil society were however united in their strong desire for peace, their urgent appeal to the international community for an international stabilization force and immediate humanitarian aid, and their wish for a comprehensive agreement and a transitional government that would lead to free and fair elections.

46. The mission met the Prime Minister and Foreign Minister of Guinea in Conakry. The position indicated was that the Government of Guinea supported the ceasefire in Liberia and was not trying to install a representative of LURD as head of a transitional government. They strongly supported the indictment of President Taylor by the Special Court for Sierra Leone. The mission urged the Government to put pressure on LURD to participate constructively in the peace talks. Also in Conakry, the mission met Sekou Conneh, Chairman of the political wing of LURD, who set out the movement's political objectives, including its claim to head any transitional government of Liberia. He indicated, however, that LURD might be

open to negotiation on the precise arrangements once it was clear that President Taylor was to play no further part in Liberian political life.

Observations and recommendations

47. The mission recommends that:

(a) The Security Council should commend the dedication of General Abubakar, the ECOWAS team and the Government of Ghana as current chair of ECOWAS for their facilitation and mediation of the Liberian peace talks, and express its strong support for their work.

(b) The Security Council should insist on strict implementation of the ceasefire in order to create a sufficiently stable security environment for humanitarian agencies to return and to give space for a negotiated political agreement. It should condemn the initiators of any breaches of the ceasefire.

(c) The Security Council should make clear that it will not condone any attempts to seize power by force or accept the appointment of those responsible for such attempts to key positions of political leadership.

(d) The implementation of the ceasefire and a comprehensive agreement should be closely monitored by the international community.

(e) The Security Council should urgently consider authorizing an international stabilization force on the basis of current ECOWAS plans, taking account of the ECOWAS appeal for troops and other support from outside the region. While any decision on such a force will inevitably be linked with progress in the political negotiations, plans for deployment should be drawn up rapidly, since delay will risk renewed breakdowns of the ceasefire.

(f) Countries in a position to do so should consider rapidly providing financial or logistical support to ECOWAS and its member States to facilitate their deployment of a stabilization force.

(g) The Security Council must insist to all parties that international humanitarian law and the human rights of all, especially women and children, must be respected; that recruitment of child soldiers must cease; and that action will be taken against those who abuse these principles.

(h) The donor community should respond urgently to the serious and immediate humanitarian needs of the Liberian people.

(i) Liberia is likely to require an increased level of United Nations attention and involvement in the short- to medium term. The Secretary-General should consider appointing a suitably senior representative in Liberia at the appropriate time, suitably resourced. A United Nations operation in Liberia should promote close coordination between peacekeeping and peace-building, development and humanitarian programmes, perhaps through the appointment of a Deputy Special Representative of the Secretary-General who also acts as United Nations resident coordinator, as has worked very well in Sierra Leone.

Sierra Leone

48. The mission spent a day in Sierra Leone and noted with satisfaction the progress made in consolidating the rehabilitation of the country in the past two years. The members of the mission were, nevertheless, made fully aware of the distance Sierra Leone still has to travel to self-sufficiency.

49. The Special Representative of the Secretary-General, Oluyemi Adeniji, told the mission in Freetown on 3 July that the situation in Sierra Leone continued steadily to improve. However, the conflict in Liberia would always threaten Sierra Leone's stability until it was resolved. Over 80,000 refugees had returned, and hundreds of deserters from both the armed forces of Liberia and LURD had crossed the border into Sierra Leone. The Government of Sierra Leone's capacity to accommodate this influx was hampered by lack of resources.

50. The Acting Force Commander of the United Nations Mission in Sierra Leone (UNAMSIL) described the progress with drawdown of the force. Of the original 17,500 troops 13,000 now remained. He reiterated the recommendation in the Secretary-General's report of 23 June 2003 (S/2003/663) that the Council endorse the "modified status quo" option for the drawdown of UNAMSIL, with a target completion date of December 2004. He also suggested that this needed careful monitoring to allow for adaptation to circumstances.

51. The mission congratulated President Ahmad Tejan Kabbah on the progress achieved. He and several of the mission's interlocutors underlined the contribution the presence of UNAMSIL had made, not just to Sierra Leone's security but also — thanks to the excellent integration of development and humanitarian issues into the structure and work of UNAMSIL — to wider peace-building efforts. They were concerned that an over-hasty withdrawal of UNAMSIL could jeopardize the country's security and the significant investment of the international community. Some interlocutors also suggested that UNAMSIL should not withdraw completely, but that a residual force should remain.

52. The Special Representative of the Secretary-General said that progress was being made towards the key benchmark of improving the capacity of the Sierra Leonean armed forces and police to assume full responsibility for internal and external security after the departure of UNAMSIL. The International Military Advisory and Training Team continued to assist with restructuring the Sierra Leone army, while the UNAMSIL civilian police contingent, now 125 strong, was helping to train new recruits to the Sierra Leone police and was mentoring existing officers. The mission asked detailed questions in this area, and was left with the impression that a considerable amount remained to be done.

53. Several of the mission's interlocutors expressed concern about the extent of government control over the diamond-mining areas, a prerequisite for the country's stability. Although civil servants had now returned to these areas, unlicensed mining continued on a large scale, especially by young people. The Government's mining monitors lacked the capacity and resources to enforce the official licensing regime. This had an economic impact as well as presenting a security risk: diamonds which went through the official certification regime were often seriously undervalued, while only a small proportion of all diamonds exported went through the official regime, and on those the Government levied only a 3.5 per cent tax. The mission recognized the considerable challenge that the Government faced in ensuring that all

diamonds were channelled through the official regime, but it stressed the priority the Government should give to meeting this challenge, particularly now that the Security Council embargo on the export of uncertified Sierra Leonean diamonds had expired. President Kabbah considered that good progress was being made, but he agreed that more needed to be done in this area. The Government was particularly keen to involve a reliable inward investor in this sector.

54. The United Nations country team reported that nearly three quarters of the 57,000 former combatants had entered the reintegration programme and been given training opportunities, and the programme should be completed by the end of the year. President Kabbah confirmed that the Civil Defence Force had been disbanded and would not be allowed to re-establish itself. Representatives of civil society asked that particular consideration be given to women, including refugees without resources or job opportunities, for inclusion in post-conflict peace-building and reconciliation programmes — particularly those who had been forcibly recruited as combatants and subsequently rejected by their families.

55. In response to a question regarding refugees, President Kabbah said that he thought that most of those in Guinea had already returned. He was not sure that those remaining in Côte d'Ivoire, the Gambia and Liberia would necessarily make a constructive contribution to the current stage of Sierra Leone's development, although he confirmed that Sierra Leone was ready to receive them.

56. The mission heard that it was important for Sierra Leone's future to create a climate of political inclusion in which all groups had the opportunity to participate. The local elections in 2004 would be an important test of this; community groups should be encouraged to participate. President Kabbah agreed, although he hoped that candidates' local credentials would be a more important determining factor in the elections than national political party affiliations. The continuing decentralization of authority in the country was cited by several interlocutors as another positive trend.

57. The mission visited the Special Court for Sierra Leone and reiterated its strong support for the Court and for the principle of no impunity. The mission congratulated the Registrar and Chief Prosecutor on the remarkable progress made in the past year in setting up the Court from scratch to the point where 12 indictments had been issued and 9 of the indictees arrested. One, former Revolutionary United Front commander, Sam Bockarie, had been killed in Liberia; his remains were undergoing forensic testing by the Court. The Court was following up reports that a further indictee, the former leader of the Armed Forces Revolutionary Council, Johnny Paul Koroma, had also been killed in Liberia.

58. The Registrar appealed for more funding; the Court's operations were running on schedule, and within budget, but there was a funding gap of $25 million and the Court would run out of funds by the end of the year if no new pledges were made. The Prosecutor explained the reasons for the timing of his announcement of the indictment of President Taylor and asked the Security Council to consider acting under Chapter VII of the Charter of the United Nations to compel all Member States to cooperate with the Court, so that the Court did not have to rely solely on the conclusion of bilateral agreements to secure the handover of indictees.

59. President Kabbah noted that the indictment of President Taylor had been widely welcomed in Sierra Leone and that, if he escaped the Court's jurisdiction,

this could provoke a violent reaction in Sierra Leone. Representatives of civil society also stressed the importance of President Taylor's being brought to justice. The mission was also briefed by officers from the Truth and Reconciliation Commission whom it congratulated for the progress being made in the Commission's important work.

60. The mission thanked the Special Representative for his dedication and service in Sierra Leone and congratulated him on his recent nomination as Foreign Minister of Nigeria.

Recommendations

61. The mission recommends that:

(a) **The Government of Sierra Leone should intensify its efforts to develop the capacity of the Sierra Leonean armed forces and police to ensure security when UNAMSIL leaves. Donors should support such efforts generously, as assistance here will be less costly than the continuation of UNAMSIL.**

(b) **The Security Council should recognize the linkage between establishing peace in Liberia and consolidating stability in Sierra Leone and the Mano River Union subregion, and should take this into account when deciding on the best option for the drawdown of UNAMSIL.**

(c) **The successful disarmament, demobilization and reintegration programme in Sierra Leone should be thoroughly assessed by the United Nations system to ensure that such programmes in other countries, particularly in due course in Liberia, take full account of the lessons learned.**

(d) **The Security Council should examine the lessons to be drawn from UNAMSIL for the coordination of United Nations peacekeeping, peace-building, humanitarian and development efforts, so that the transition from peacekeeping to longer-term development can be more effectively managed in other United Nations operations.**

(e) **The Security Council and other parts of the United Nations system should give careful consideration to the different roles women play in conflict and in subsequent peacemaking and peace-building; donors should support efforts by civil society to empower women's peace-building efforts and to help those who have been victims of conflict, inciuding refugees.**

(f) **The Government of Sierra Leone should devote special effort to consolidating its control over the diamond-mining areas by ensuring that police and other civil servants are fully deployed there; and should take all the necessary measures to enforce fully the certification and licensing regime and to enable Sierra Leone to participate fully in the Kimberley Process.**

(g) **Donors should respond rapidly and generously to the urgent funding needs of the Special Court for Sierra Leone, and the Truth and Reconciliation Commission. UNAMSIL should provide full cooperation to and support for the Court.**

(h) **The local elections in Sierra Leone in 2004 should allow as much community representation as possible, so as to reinforce the principles of**

inclusion and high standards of governance. The United Nations system should, with the cooperation of the Government of Sierra Leone, monitor the conduct of the elections carefully.

The West African subregion

Observations and recommendations

62. The reasons for instability in West Africa are many, including abject poverty, poor standards of governance and irresponsible leadership in certain countries, illegal exploitation of natural resources and cross-border flows of small arms and mercenaries. An additional major factor has nevertheless been the persistent tendency of certain Governments, in particular that of Liberia, to exacerbate already existing tensions in one or other of their neighbours by meddling in domestic disputes and using proxies to undermine Governments. **The mission believes that the Security Council, as agreed in resolution 1478 (2003), should consider ways of promoting regional compliance by following up its demand that such interference, particularly the provision of weapons to armed groups in neighbouring countries, must cease.**

63. **The mission believes that the international community should step up its support for ECOWAS.** ECOWAS is gaining experience and operational traction, not just in its efforts to resolve individual crises in West Africa, but also in its broader efforts to promote better governance, subregional economic integration and observance of human rights and international humanitarian law, and implementation of peace agreements in the subregion. It is time to give concrete expression to repeated calls in recent years for increased international support for ECOWAS. **The mission recommends that the Special Representative of the Secretary-General for West Africa, Ahmedou Ould-Abdallah, undertake a comprehensive study, in conjunction with the Executive Secretary of ECOWAS and concerned Member States, of ways in which the international community can increase its cooperation with, and assist in strengthening the capacity of, ECOWAS.**

64. The study should make practical proposals for helping ECOWAS to address recurrent subregional problems such as the flows of small arms and mercenaries and the use of child soldiers, including through existing mechanisms such as the ECOWAS Moratorium on the Importation, Exportation and Manufacture of Small Arms and Light Weapons in West Africa, the ECOWAS Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security, and ECOWAS peacekeeping forces in the subregion. In the meantime, **the mission believes that the Security Council would benefit from more regular exchanges with the Executive Secretary of ECOWAS and invites him to transmit the Organization's reports to the Council, as appropriate.**

65. Concerns were expressed to the mission that a major disadvantage for potential troop-contributing countries of ECOWAS-led peacekeeping operations was that, unlike United Nations peacekeeping forces, there was no automatic reimbursement for the costs of deployment. In one such example, the Minister for Foreign Affairs of Ghana had noted that Ghana had so far received only one $3 million contribution towards the $17 million cost of its deployment of troops to ECOMICI. The ECOMICI Force Commander indicated that there was discontent among the troops regarding the lower level of daily subsistence allowance they received compared to

that received by United Nations peacekeeping troops. Given the proactive and essential role ECOWAS forces have played in a number of West African countries in recent years, **the mission recommends that the international community should give priority to the provision of timely and adequate funds and materiel for the various peacekeeping forces set up by ECOWAS.**

66. The mission shares the conviction of ECOWAS, expressed at an extraordinary session of the Authority of Heads of State and Government held on 28 May 2003, that only a concerted regional approach can guarantee peace, security and stability in the subregion. The new Office of the Special Representative of the Secretary-General for West Africa, based in Dakar, though yet to be fully staffed, has a mandate that is both region-wide and multidisciplinary. **The mission believes that this Office should be strengthened by resources from within the United Nations or from Member States in order to carry out some of the additional tasks suggested in this report. The mission calls on other branches of the United Nations system to provide maximum cooperation, information-sharing and other support to the Office. In order to further improve cooperation with ECOWAS, the mission recommends that, if acceptable to ECOWAS, an officer from the Office of the Special Representative of the Secretary-General be co-located at ECOWAS headquarters.** This would be consistent with recommendations made by the Security Council mission to West Africa in October 2000 regarding increasing cooperation between the United Nations and ECOWAS.

67. Some of the mission's interlocutors proposed that additional assistance be given to reinforcing the capacity of the Mano River Union secretariat. **The mission recommends that donors give consideration to the funding proposals made by the Economic Commission for Africa for strengthening the secretariat and for economic initiatives among the Mano River Union countries as ways of building subregional cooperation.**

68. The mission noted that in each country which has been a source of instability in the subregion in recent years the issue of the reform of the security sector is of paramount importance. **Donor countries and institutions should pay far greater attention to this problem — by providing expert assistance, training and funding — than many have done to date. The United Nations system, with appropriate assistance from Member States, should, with the experience now gained, be ready to provide essential elements for security sector reform in the subregion. This might include the possibility of a regional disarmament, demobilization and reintegration programme.**

69. The mission was encouraged to note the determined stance of ECOWAS States regarding non-recognition of any group taking power by force, as well as insistence on respect for constitutional legality, the rule of law and human rights. Any group considering the use of unconstitutional means to overthrow a Government should be aware that the era of tolerance for military coups has passed. At the same time, the mission stresses that the use of force and coups d'état are not the only unconstitutional methods of seizing or holding on to power. States of the subregion and the international community should make clear that good governance, stability and development must receive the highest priority from all governments.

70. In the West African subregion weapons are too readily available without effective controls. **The mission recommends that Member States should take all necessary measures to stem the sales of arms to countries under arms**

embargoes imposed by the Security Council. Panels of experts reporting to Security Council sanctions committees should monitor national efforts, including in countries outside the subregion, to investigate and prosecute sanctions violators. The mission recommends that the United Nations and ECOWAS propose concrete measures for strengthening the ECOWAS Moratorium on small arms and light weapons in the subregion, as proposed in Council resolution 1467 (2003), inter alia, through establishing mechanisms for verification and information exchange. Halting the activities of mercenaries is another area where concerted international action is required.

71. Prior to their departure, the members of the mission met with and received briefings from representatives of the Economic and Social Council and concerned Secretariat departments and United Nations programmes and agencies, the African Union and non-governmental organizations. The purpose of the meetings was to hear a broad range of views on the situation in the subregion. The briefings detailed the desperate humanitarian situation in much of the subregion; the appalling impact of conflict on civilians, particularly women, children and families; the widespread practice of recruiting children as combatants; the serious constraints on access for humanitarian agencies; and the urgency of ensuring that food, water and medical supplies reach refugees and internally displaced people, especially in Liberia and other zones of conflict.

72. Incidents of abduction, rape, looting, mutilation, murder, blocking humanitarian access, the recruitment of child soldiers, and targeting of civilians are all too common in West Africa. During the mission's visit, hundreds of people were killed in Monrovia by indiscriminate mortar fire and in fighting in other parts of Liberia, while human rights abuses continued in areas of Côte d'Ivoire. The mission made it clear to all its interlocutors that the principle of no impunity must be upheld, and that the Security Council would consider the imposition of serious measures against Governments and groups that consistently commit human rights abuses or violate international humanitarian law. It also expressed to the warring parties in Liberia its extreme concern about the reports of indiscriminate bombardment in Monrovia, which has caused hundreds of civilian deaths.

73. The recruitment of child soldiers, sadly, continues in West African conflicts. In its resolution 1460 (2003), the Security Council urged parties that are known to recruit or use children in violation of international humanitarian law immediately to halt such recruitment. **The mission urges the parties to conflict to arrest and prosecute anyone responsible for the recruitment of children.**

74. The mission emphasized to its interlocutors the necessity of protecting civilians, particularly women and children, from the effects of armed conflict. **It requests the Secretary-General's representatives in the subregion to make a particular effort to monitor the protection of children, as well as the protection of women from sexual and other types of violence.** The mission also encourages them to continue to include this issue in their reports to the Security Council. The abuse of women and the forcible recruitment of girls and women as soldiers are crimes which should rank with other gross abuses of human rights law.

75. In addition, the mission noted the serious shortfall in funding for the operations of the Office of the United Nations High Commissioner for Refugees to provide assistance and protection to refugees and also for programmes for internally displaced persons in the subregion, and it **calls on donors to make additional**

contributions. It urges all countries of the subregion to ensure full access for humanitarian agencies, including across borders if necessary.

76. In every country visited, the mission heard about the problem of unemployment, especially among young people, and how this was a perennial source of instability in West Africa. **The mission hopes that the Office of the Special Representative of the Secretary-General for West Africa will undertake a major collaborative effort with the peace-building and peacekeeping operations, as well as the rest of the United Nations system and its partners in the subregion, to devise a practical and concerted regional approach to this pressing problem.**

77. The existing cooperation between the Security Council and the Economic and Social Council should be further strengthened to produce a coordinated and effective United Nations response at the intergovernmental level to the need for effective action on issues of peace and security and of sustainable development in Africa.

78. The mission commends the work of the representatives of the Secretary-General whom it met in West Africa and thanks them for their efforts in organizing and contributing to programmes for the mission: the Special Representative of the Secretary-General for Côte d'Ivoire, Albert Tevoedjre; the Representative of the Secretary-General for Guinea-Bissau, David Stephen; the Representative of the Secretary-General for Liberia, Abou Moussa; the Special Representative of the Secretary-General for Sierra Leone, Oluyemi Adeniji; and the Special Representative of the Secretary-General for West Africa, Ahmedou Ould-Abdallah. The mission trusts that the Security Council will continue to give full support to each of them in their efforts to promote stability, democracy and reconciliation in West Africa.

79. The mission likewise expresses its gratitude to the resident coordinators and other United Nations staff who did so much towards ensuring the success of the mission. Finally, all members of the mission acknowledge with admiration the support of the Secretariat staff, including the ever-watchful security team and ever-efficient interpreters, throughout the mission's itinerary.

Annex

A. Terms of reference and composition of the Security Council mission

Terms of reference

Regional

- Demonstrate continuing Security Council interest in the subregion
- Encourage more cooperation among countries of the subregion (e.g., the Mano River Union and ECOWAS); assess follow-up to the Rabat summit; and identify any obstacles to improved cooperation
- Review the activities of the Office of the Special Representative of the Secretary-General for West Africa
- Examine the links between the conflicts in Liberia, Côte d'Ivoire and Sierra Leone and their impact on neighbouring countries (including mercenaries, arms trafficking and refugees)
- Assess progress towards Council objectives on the protection of civilians and children affected by armed conflict
- Emphasize the need for all countries to respect their obligations with regard to human rights and international humanitarian law

Sierra Leone

- Assess the success of UNAMSIL in building security in Sierra Leone and its impact on the protection of civilians
- Assess progress in the UNAMSIL drawdown and the ability of the Sierra Leone police and armed forces to provide security as it withdraws
- Assess the transition from peacekeeping to longer-term development
- Examine how the Special Court and the Truth and Reconciliation Commission are addressing justice and reconciliation

Liberia

- Urge the Government of Liberia, LURD and any other armed rebel groups to engage in ceasefire negotiations and to implement Security Council resolutions
- Call on the Government of Liberia to enhance its cooperation with neighbouring countries
- Assess how the Government has responded to the Council's proposals for resolving the crisis, including an assessment of the chances of free and fair elections
- Assess the impact and effectiveness of the United Nations Office in Liberia, how it works with the operational parts of the United Nations country team, and the Government of Liberia's expectations of its new mandate

Côte d'Ivoire

- Urge all parties to respect fully the provisions of the ceasefire
- Urge the Government and all the parties to implement fully the Linas-Marcoussis Agreement
- Discuss with the Special Representative of the Secretary-General, Albert Tevoedjre, progress with the United Nations Mission in Côte d'Ivoire
- Emphasize the need for respect for human rights by all parties
- Consider how to tackle the problem of insecurity in western Côte d'Ivoire

Guinea-Bissau

- Urge the Government and President Kumba Yalá to ensure that the forthcoming elections are conducted in a transparent, fair and credible manner, and to take the necessary confidence-building steps required of them
- Urge the Government to endorse the partnership approach defined by the ad hoc advisory group of the Economic and Social Council

Composition

Following consultations among the members of the Security Council it was decided that the composition of the mission would be as follows:

United Kingdom of Great Britain and Northern Ireland (Ambassador Jeremy Greenstock, head of mission)

Mexico (Ambassador Adolfo Aguilar Zinser, head of mission in Guinea-Bissau and Chairman of the Security Council sanctions Committee on Sierra Leone)

Angola (Ambassador Ismael Abraão Gaspar Martins)

Bulgaria (Ambassador Stefan Tafrov)

Cameroon (Ambassador Martin Chungong Ayafor)

Chile (Ambassador Cristián Maquieira)

China (Counsellor Jiang Jiang)

France (Ambassador Michel Duclos)

Germany (Counsellor Monika Iwersen)

Guinea (First Counsellor Cheick Ahmed Tidiane Camara)

Pakistan (First Secretary Asim Iftikhar Ahmad)

Russian Federation (Ambassador Alexander V. Konuzin)

Spain (First Secretary Ana Jiménez)

Syrian Arab Republic (First Secretary Ghassan Obeid)

United States of America (Ambassador Richard S. Williamson)

B. Terms of reference and composition of the mission of the Ad Hoc Advisory Group on Guinea-Bissau of the Economic and Social Council

Terms of reference

- To promote a dialogue with the authorities of Guinea-Bissau
- To appeal to the Government to take measures to prepare for the forthcoming elections
- To promote a better understanding between the authorities and donors
- To address the humanitarian situation in the country

Composition

South Africa (Ambassador Dumisani Shadrack Kumalo, head of the Ad Hoc Advisory Group on Guinea-Bissau)

Brazil (Ambassador Ronaldo Mota Sardenberg)

Netherlands (Minister, Arjan Paul Hamburger)

Portugal (Ambassador Gonçalo Aires de Santa Clara Gomes)

United Nations S/2003/689

Security Council

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Letter dated 27 June 2003 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to article 12 bis, paragraph 2, of the Statute of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States, between 1 January 1994 and 31 December 1994, which reads as follows:

> "In the event of a vacancy in the Chambers amongst the permanent judges elected or appointed in accordance with this article, after consultation with the Presidents of the Security Council and of the General Assembly, the Secretary-General shall appoint a person meeting the qualifications of article 12 above, for the remainder of the term of office concerned."

In this connection, I regret to inform you that Mr. Mansoor Ahmed, a national of Pakistan, resigned as a permanent judge of the International Tribunal for Rwanda, effective 20 May 2003.

The Government of Pakistan has presented the candidacy of Ms. Khalida Rachid, a national of Pakistan, to replace Mr. Ahmed. Please find attached her curriculum vitae.

It is my view that Ms. Rachid meets the qualifications which are prescribed in Article 12 of the Statute of the International Tribunal for Rwanda. I also consider that the appointment of Ms. Rachid would be well calculated to ensure adequate representation on the Tribunal of the principal legal systems of the world, as contemplated in paragraph 1 (c) of article 12 bis of the Tribunal's Statute.

I should therefore like to proceed towards consultation with you on the appointment of Ms. Rachid, in accordance with article 12 bis, paragraph 2, of the Statute of the International Tribunal for Rwanda. I look forward to receiving your views on the matter.

(*Signed*) Kofi A. **Annan**

03-42063 (E) 100703

Annex

Justice Khalida Rachid Khan
Peshawar High Court
Peshawar, Pakistan

Curriculum vitae

Personal

Full name	**Justice Khalida Rachid Khan**
Family name	Khalida Rachid Khan
Maiden name	Khalida Yousaf
Place of birth	Peshawar, NWFP, Pakistan
Date of birth	25 September 1949
Religion	Islam
Nationality	Pakistani
Marital status	Married with three children
Husband's name	Rachid Q. Khan
Domicile	Peshawar, Pakistan
Home address	Bungalow No. 188, Near Garrison Park, New Defence Colony, Shami Road Peshawar Cantt., Pakistan
Addresses abroad	98 Berner Trail, Scarborough Ontario, Canada, (MIB IB3)
	59 Longview Ave. Randolph, New Jersey 07869 United States of America
E-mail	khanras71@hotmail.com khanras@unhcr.ch
Telephone	Residence: 9221-270600 and 921-3506 Office: 9291-921-0313 High Court PBX: 9291-9210149-158

Education

M.A. Political Science	1973
Field of Study	Public Administration, Internationai Relations, and International Law
LL.B	1969
Field of Study	International Law, Criminal Law, and Law of Torts, Revenue and Commercial Law

Service record

1. Judge, Peshawar High Court (an appellate court), 6 June 1994 to date
2. Banking Judge (on deputation with Government of Pakistan) 7 July 1992-5 June 1994
3. Special Judge (C) Customs, Taxation and Anti-Corruption (on deputation with Government of Pakistan) 1 March 1989-6 July 1992
4. Earned Leave as Post in BPS-20 was not available, 2 October 1988-February 1989
5. District and Sessions Judge, Kohat, 5 June 1988-1 October 1988
6. Date of Promotion to BPS 20, 5 June 1988
7. Solicitor to Government of NWFP, 1 March 1988-4 June 1988
8. O.S.D. in S&GAD (with pay) 2 August 1986-28 February 1988
9. On extraordinary leave, lived in Canada/United States of America, 1 March 1985-4 August 1986
10. Officer on Special Duty (S&GAD/Law) 26 August 1984-2 February 1985
11. On earned leave, 9 July 1983-25 August 1984
12. Deputy Secretary, Government of NWFP Law Department, 19 January 1982-9 July 1983
13. Special Judge, Anti-corruption (NWFP) Peshawar and Hazara Division, 2 July 1981-19 January 1982
14. Date of Promotion to BPS-19, 28 June 1981
15. Additional District and Sessions Judge, Peshawar Additional Registrar, Peshawar High Court, Peshawar, 20 September 1980, 1 July 1981
16. Date of promotion to BPS-18, 1 January 1979
17. Senior Civil Judge, Peshawar, 26 June 1978-6 January 1979
18. Civil Judge, Peshawar, 8 January 1978-25 June 1978
19. O.S.D. (Acting Registrar) Peshawar High Court, Peshawar, November 1977-1 July 1978
20. Civil Judge, Peshawar, 10 June 1974-November 1977

Professional experience

Conducted trials

As a Civil/Senior Civil Judge, Peshawar for:

Adjudication of civil cases
Adjudication of rent cases
Adjudication of family court cases
Adjudication of guardian and ward cases

Conducted trials and exercised appellate jurisdiction

As a District and Sessions Judge, Peshawar, for:

Adjudication of criminal cases/appeals
Adjudication of civil, rent, family court appeals

As a Special Judge, Customs and Anti-narcotics, NWFP for:

Adjudication of customs cases
Adjudication of narcotics cases

As a Special Judge, Banking, NWFP for:

Adjudication of banking cases

As a Company Judge, NWFP for:

Adjudication of company cases

As a Deputy Secretary, Law Department and Solicitor to Government of NWFP

Tendered advice/opinion, scrutinized Judgment (Civil and Criminal) for filing appeals in the Appellate Court legislation, vetting of comments in writ petitions. Legal advisor to agriculture development authority.

Administrative

Deputy Secretary to Government of NWFP Law Department, and Administered the Law Department

Additional Registrar, Peshawar High Court, Peshawar and Officer on Special Duty (in place of Registrar), Peshawar High Court, Peshawar, where I managed daily routine of High Court and staff administration

As District and Sessions Judge, managed and administered lower court (civil court and additional Sessions judges) and staff

As Senior Civil Judge, Peshawar, managed and administered civil courts and staff

Chairman to the Service Rules Committee for a considerable period

Officer on Special Duty in Peshawar High Court as Acting Registrar of High Court

Achievements

First Female Judge of High Court in Pakistan

First Female District and Sessions Judge ever appointed in the whole of Pakistan

Promoted to senior posts BPS-19 with seven years of joining the services and to BPS-20 in 1988

Received excellent reports from superiors throughout the service career

International seminars/workshops

Attended four-week study tour in the United States on "Drugs, Terrorism and International Security" organized by USIS/USIA.

Attended extended programme on Administration of courts in the United States also organized by USIS/USIA. The Government of Pakistan made the nomination.

Also recommended by the Government of NWFP for a fellowship with the United Nations in the field of human rights.

Contributed a paper in the Asia/South Pacific Regional Judicial Colloquium in Hong Kong on 20 May 1996 entitled "Women and human rights in the Asia/Pacific regions: a perspective from South Asia".

Participated in the Convention Regarding the Child under the auspices of the Fourth Biennial Conference of the International Association of Women Judges (21-24 May 1998), held in Ottawa, Canada.

Participated in the Fifth Biennial Conference of the International Association of Women Judges, in May 2000, held in Buenos Aires, Argentina.

Participated in the Sixth Biennial Conference of the International Association of Women Judges, in May 2002 held in Dublin, Ireland, with the theme of "judicial creativity".

Participated in one-day workshop on 7 September 2002, held in Islamabad, with the theme of "women in the legal and judicial profession".

Countries visited

United States of America	New York, New Jersey, Washington, D.C., Pennsylvania, North and South Carolina, Georgia, Virginia, Miami, Florida, San Francisco, Philadelphia, Chicago, Buffalo and many others
Canada	Toronto, London, Hamilton, Niagara Falls, and Montreal, Quebec and others
Europe	United Kingdom, Switzerland, France, Germany, Ireland
Argentina	
Middle East	Saudi Arabia (Riyadh, Jeddah, Mecca and Medina) and Dubai

Games/sports

All-round best athlete, captain of volleyball, net ball, field hockey, President/Secretary of entertainment and sports committees during college career.

Hobbies

Interest in projects specially designed for illiterate women of the province. Reading magazines, law and other informative books.